

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON ~~XX~~ D. C.
20554

IN REPLY REFER TO:

3200

Honorable John O. Pastore
Chairman, Subcommittee on
Communications
Committee on Commerce
United States Senate
Washington, D. C. 20510

Dear Chairman Pastore:

Pursuant to a conference held September 5 with Nicholas Zapple, counsel to your subcommittee, and attended by representatives of the Departments of State, Justice and Defense, Bureau of the Budget and the Federal Communications Commission, the following understanding is submitted for inclusion in the Senate Committee report on S. 920.

At that meeting, it was tentatively agreed among the staff representatives present that S. 920 should be made more specific with respect to matters of national security and the following amendment was proposed:

At page 2, line 18 and page 3, line 9, delete the period and add the following proviso:

"Provided, That when an application for an authorization is received by the Commission, it shall notify the appropriate agencies of the Government of such fact, and such agencies shall forthwith furnish to the Commission such information in their possession as bears upon the compatibility of the request with the national security: And Provided further, that the requested authorization may then be granted unless the Commission shall determine that information received from such agencies necessitates denial of the request."

The Commission has considered this amendment and would support its inclusion in S. 920 or similar legislation which may be enacted. It is our understanding that pursuant thereto the FCC, upon receipt of a request for authorization of an operation by an alien amateur, would ask the Central Intelligence Agency and the Departments of Defense, Justice and State to supply it with any information in their possession which bears on the particular request. While the Commission would not, of

course, ignore information coming to it from other sources, its obligation in the security area would be limited to a check with the named agencies and making the finding that, with respect to national security, no information or recommendations before the Commission necessitate denial of the request.

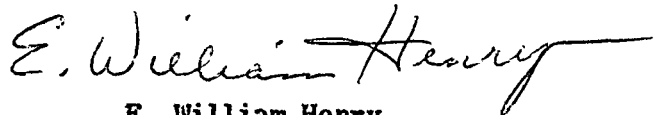
The above-named agencies are those which are at this time considered to be the agencies referred to in the proposed amendment as "appropriate agencies of Government." Additionally, the Commission will be guided by the views of the named agencies, or by information coming to it from other sources, as to whether additional agencies should be contacted as circumstances warrant.

The Commission in acting on such requests will, of course, respect the confidential nature and sources of specific security information coming to its attention.

This letter has been coordinated with and concurred in by the Departments of Defense, Justice, and State, and the Central Intelligence Agency. The Bureau of the Budget has advised that there is no objection to the presentation of this report to the Congress from the standpoint of the Administration's program.

This letter was adopted by the Commission September 11, 1963.

BY DIRECTION OF THE COMMISSION

A handwritten signature in cursive script, reading "E. William Henry". The signature is written in dark ink and is positioned above the printed name and title.

E. William Henry
Chairman